



**SOUTH CAROLINA REVENUE AND FISCAL AFFAIRS OFFICE**  
**STATEMENT OF ESTIMATED FISCAL IMPACT**  
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<b>Bill Number:</b>	H. 3174	Signed by Governor on February 3, 2020
<b>Author:</b>	Elliott	
<b>Subject:</b>	Electric Assisted Bicycles	
<b>Requestor:</b>	House of Representatives	
<b>RFA Analyst(s):</b>	Gardner	
<b>Impact Date:</b>	November 20, 2020	

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**Fiscal Impact Summary**

The Judicial Department (department) reports that this bill will have no expenditure impact on its General Fund, Other Funds, or Federal Funds as the majority of cases applicable to bicycle operators are within magistrate and municipal courts. The number of these cases that might fall within the circuit court's jurisdiction is not anticipated to be significant. Thus, no revenue impact to the General Fund, Other Funds, or Federal Funds of the Judicial Department is anticipated.

The Department of Motor Vehicles reports there will be no expenditure impact on the agency's General Funds, Other Funds, or Federal Funds as the bill does not operationally impact the department.

Revenue and Fiscal Affairs (RFA) estimates there will be no local expenditure impact as additional costs to magistrate and municipal courts from cases related to electric-assist bicycles and bicycles with helper motors can be managed within existing resources. The local revenue impact of this bill on the magistrate and municipal courts is undetermined because there is no data with which to predict the number of cases resulting from this new offense.

**Explanation of Fiscal Impact**

**Signed by Governor on February 3, 2020**

**State Expenditure**

This bill defines electric-assist bicycles and bicycles with helper motors. It provides that bicyclists operating electric-assist bicycles shall be subject to all statutory provisions applicable to bicyclists as provided in Section 56-5-3420. This bill specifies that bicycles with helper motors are not mopeds. The bill also requires manufacturers and distributors of electric-assist bicycles to apply a permanently affixed label in a prominent location to each electric-assist bicycle. The owner of the electric-assist bicycle shall not remove or tamper with the label.

**Judicial Department.** This bill defines types of low-speed electric motor assisted bicycles and provides that operators are subject to all statutory provisions applicable to bicyclists. It also provides that bicyclists have duties similar to those of motor vehicle operators described in Section 56-5-3420 and are subject to being fined for violations of these statutory provisions. Based on information obtained by the department from the affected courts, the bill's primary will be at the magistrate and municipal courts, which are operated by local governments. However, some cases may fall into the jurisdiction of the circuit courts. While the impact to circuit courts

is unknown because this is a new offense, and there is no data to suggest how many additional individuals will be convicted of bicycle-related offenses, the increase is not expected to be significant. As such, it is anticipated that any additional costs to the circuit courts can be managed within existing resources. Therefore, there will be no expenditure impact on the General Fund, Other Funds, or Federal funds of the department.

**Department of Motor Vehicles.** This bill provides definitions for electric motor-assisted bicycles and bicycles with helper motors and subjects them to the same provisions applicable to bicyclists. Since the bill does not operationally impact the department, there will be no expenditure impact on the agency's General Funds, Other Funds, or Federal Funds.

### **State Revenue**

Most bicyclist infractions are handled within magistrate or municipal courts. However, depending on the degree of injury, the person at fault may be assessed a civil fine payable in magistrate, municipal, or circuit courts. Since this bill adds a new category of vehicle that is subject to the provisions of Title 56 (Motor Vehicles), there is no data upon which to predict the number of new fines that may be generated. However, any increased revenue is not expected to be significant; therefore, no revenue impact to the General Fund, Other Funds, or Federal Funds of the Judicial Department is anticipated.

### **Local Expenditure**

This bill defines electric-assist bicycles and bicycles with helper motors and provides that operators are subject to all statutory provisions applicable to bicyclists. Offenses of this type are generally handled in magistrate or municipal courts. However, the expenditure impact is unknown because this is a new offense and there is no data to suggest how many additional individuals will be convicted of bicycle related offenses. The increase in caseloads is not expected to be significant. As such, it is anticipated that any additional costs to magistrate or municipal courts can be managed within their existing resources. Therefore, no local expenditure impact is anticipated.

### **Local Revenue**

This bill defines electric-assist bicycles and bicycles with helper motors. It provides that bicyclists operating electric-assist bicycles shall be subject to all statutory provisions applicable to bicyclists as provided in Section 56-5-3420. Bicyclists may be subject to fines if they do not operate their bicycles in accordance with the applicable laws. In addition, motor vehicle drivers may be subject to fines if they fail to operate their vehicle in a safe manner when encountering a bicyclist.

Most bicyclist infractions are handled within magistrate or municipal courts. However, depending on the degree of injury, the person at fault may be assessed a civil fine payable in magistrate, municipal, or circuit courts. Since this bill adds a new category that is subject to the provisions of Title 56 (Motor Vehicles), there is no data on which to predict the number of new fines that may be generated. Therefore, the increase in local revenue cannot be determined.



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Frank A. Rainwater, Executive Director